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Attorney Docket No. RSW920000141US1/5577-323

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Roberto DeLima et al.

Conf. No.: 9743

Application No.: 09/825,078

Group Art Unit: 2155

Filed: April 3, 2001

Examiner: Benjamin R. Bruckart

For: **QUALITY OF SERVICE IMPROVEMENTS FOR NETWORK TRANSACTIONS**

Date: August 29, 2005

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Certificate of Mailing under 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 29, 2005.

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC § 134, 37 CFR § 41.31, and MPEP § 1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the final Office Action dated June 3, 2005 and the Advisory Action dated August 2, 2005, at least twice rejecting or finally rejecting claims 1 – 4, 6 – 21, 23 – 34, 37 – 39 and 41 - 57.

☐ Enclosed is a check in the amount of \$_____ for the Appeal fee as provided by 37 C.F.R. § 41.20(b)(1).

☐ Payment by credit card is requested. Form PTO-2038 is attached.

☐ A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

☒ Also enclosed: Reasons in Support of Applicants' Pre-Appeal Brief Request for Review

☒ The Commissioner is authorized to charge the \$500 fee and any additional fees that may be required or credit any overpayment to IBM's Deposit Account No. 09-0461.

Respectfully submitted,

David K. Purks

Registration No. 40,133

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Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792